



## Senator Feinstein Responds to Latest Revelations in Firing of U.S. Attorneys

March 13, 2007

*Washington, DC – At a news conference this morning, U.S. Senator Dianne Feinstein (D-Calif.) responded to news reports about the recent firings of U.S. Attorneys.*

*Under a provision inserted without notice into the USA Patriot Act reauthorization last year, the law was changed so that if a vacancy arises, the Attorney General may appoint a replacement for an indefinite period of time – thus completely avoiding the Senate confirmation process.*

*Senator Feinstein introduced legislation to restore the process in place before 2006. It would allow the Attorney General to appoint interim U.S. Attorney for 120 days. If after that time the President has not sent up a nominee to the Senate and had that nominee confirmed, then the authority to appoint an interim U.S. Attorney would fall to the district court. This was the law from 1986 to 2006.*

*The legislation was approved in the Judiciary Committee last month by a vote of 13-6 and is now on the Senate floor.*

*Following is a transcript of Senator Feinstein's remarks:*

**"It was on or about January the 7th or 6th when I received a call that indicated that a number of U.S. Attorneys had been forced to resign. And I was asked to look into it.**

**As I began to look into it, we got a great deal of push back from the Attorney General: that I didn't know my facts, I didn't know what we were doing, that this was all being done for performance reasons.**

**And then, as we got the performance reports, the performance reports were all good. I was told, 'Well, it was done for policy reasons;' they didn't follow policy of the main Justice in one way or another.**

**And then finally, in an op-ed done by the Attorney General in USA Today, the rationale was given, 'Well, we lost confidence in them.'**

We now know that it is very likely that the amendment to the Patriot Act, which was made in March of 2006, might well have been done to facilitate a wholesale replacement of all or part of U.S. attorneys without Senate confirmation.

On Wednesday we will vote on a motion to give cloture to the bill that would return the Patriot Act back to where it was before this all happened. I very much hope that passed.

We really need to know whether this amendment in March of '06 was orchestrated by the White House. Who asked for the change?

We've also learned that there was a target list prepared, that the idea for these firings began some two years ago, that the White House counsel at the time had suggested that all 93 attorneys be replaced. And the dismissals were orchestrated by the chief of staff of the Attorney General.

Now, were these dismissals orchestrated then without the knowledge of the Attorney General? I think that's a question we have to have answered.

Therefore, I believe it's extraordinarily important to issue subpoenas to Mr. Rove, to Mrs. Miers, as well as to Mr. Sampson and determine where all this really came from, how it was orchestrated, what the real strategy was.

We know at this stage that there were eight U.S. Attorneys asked to resign. The first one was in Arkansas. We know that went without comment. It didn't break the surface. The U.S. attorney resigned, and someone close to Karl Rove was put in as an interim. And that interim would most likely serve throughout the rest of the President's term.

We then know that there were another seven who were called on or around December 7th, given no reason, but simply told they must resign. I was told the date was January 15th. In some cases, I believe it was January 30th.

And we know that five out of these seven were involved in some form of public corruption investigation or case.

I don't believe that any of this would have been known had this call not been made to me, because these U.S. attorneys most likely would have gone without comment.

And now we find, through the press this morning and last evening, that this was something that was well-strategized, going back in time at least two years.

Well, I've always looked at the Office of Attorney General and the Attorney General himself as not being the Attorney General for the White House, but being the Attorney General, the chief law enforcement officer, for all of the people of America; and that the Attorney General's Office stood apart from the White House, was objective, was honest,

and issued opinions and made prosecutions as they saw them, that there was no strategy or organization to it.

And now, I learn that much of what I had believed, at least about this Attorney General's Office, is in fact not the case.

So we have a ways to go, as Senator Schumer suggested. We will go that distance. And we will dig just as deep as is required.

I guess what really incenses me somewhat is the fact that the Attorney General called me and said, you know, I really didn't have my facts right; that none of this was correct.

And now we see it's a much bigger and grander strategy. And I think a very dangerous strategy: dangerous for objectivity, dangerous for proper law enforcement and proper prosecution.

So we have a lot of due diligence still to go. And I hope that we will issue some subpoenas as soon as possible to get the rest of this investigation completed."

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